

AFFIDAVIT

I, Christopher Kiah, being first duly sworn, depose and state as follows:

I. INTRODUCTION

1. I am a Special Agent with the Department of Homeland Security, Federal Protective Service (“DHS/FPS”) and have worked with DHS/FPS since January of 2012. I work as part of the Region 5 Investigation’s Branch for the Cleveland Field Office. I hold a Bachelor of Science Degree with a major in Criminal Justice from Park University. I am a graduate of the Criminal Investigator Training Program and the Federal Protective Service Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. Previously, I worked as an Inspector for DHS/FPS and a Criminal Investigator for the United States Marine Corps Criminal Investigation Division.

2. As a DHS/FPS Special Agent, I conduct investigations related to the protection of federal property, persons on such property, and federal employees. I investigate violations of Title 18, including but not limited to 18 U.S.C. §922(g)(1), Possession of a Firearm by a Felon, which is a person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year.

3. I base this affidavit on my personal investigation and information provided by other sources, including other law enforcement officers and investigations.

4. The information set forth in this affidavit is for the limited purpose of establishing probable cause in support of a criminal complaint alleging that DEFRANCO ALLISON JR (DOB: xx/xx/1995), hereinafter referred to as "ALLISON JR", violated: 18 U.S.C. § 922(g)(1), Possession of a Firearm by a Felon.

II. APPLICABLE LAW

5. 18 U.S.C. §922(g)(1), makes it unlawful for any person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year; to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

III. PROBABLE CAUSE

6. On February 09, 2022, Affiant was assigned to the investigation of a shooting incident involving the Social Security Administration (“SSA”) office located at 11601 Shaker Blvd., West, Cleveland, OH. By way of background, in the early morning hours of February 09, 2022, law enforcement was called to the SSA office after a hallway motion alarm activation and discovered a broken window along with two (2) gunshot holes in the hallway wall near interview stations. The window was located on the south side of the SSA office.

7. An investigation of the crime scene revealed several “spent” 9mm and .45 Caliber shell casings along the roadway area of East 116th St., spanning approximately 750 feet, between the SSA office and to the South. Affiant also reviewed video footage from multiple businesses in the area and learned at approximately 0103 hours, February 09, 2022, what appeared to be a black in color Dodge Charger was observed driving north on East 116 St., approaching Shaker Blvd., East, at the same time a Greater Cleveland Regional Transit Authority (“RTA”) bus shelter window located on the southeast corner of the intersection of East 116th St., and Shaker Blvd., East, is seen

shattering. Additionally, audible sounds of apparent gunfire could be heard at approximately the same time from another camera. A short time later, the SSA office window could be seen shattering as the Dodge Charger proceeded north along East 116th St. The Dodge Charger appeared to be traveling at a high rate of speed and also traveled through a southward facing traffic signal at the intersection of East 116th St., and Shaker Blvd., East, that was clearly illuminated in the color red.

8. As part of the investigation, several shell casings collected from the SSA crime scene on February 09, 2022, were subsequently submitted to the Ohio Bureau of Criminal Investigation Laboratory (“BCI”), on March 08, 2022. The casings were entered by BCI into the National Integrated Ballistic Information Network (“NIBIN”), which is used to catalog and compare ballistic evidence found by law enforcement agencies during investigations.

NIBIN Match

9. On June 28, 2022, affiant was contacted by the University Circle Police Department (“UCPD”), after BCI notified UCPD that a 9mm shell casing submitted as part of affiant’s investigation matched a

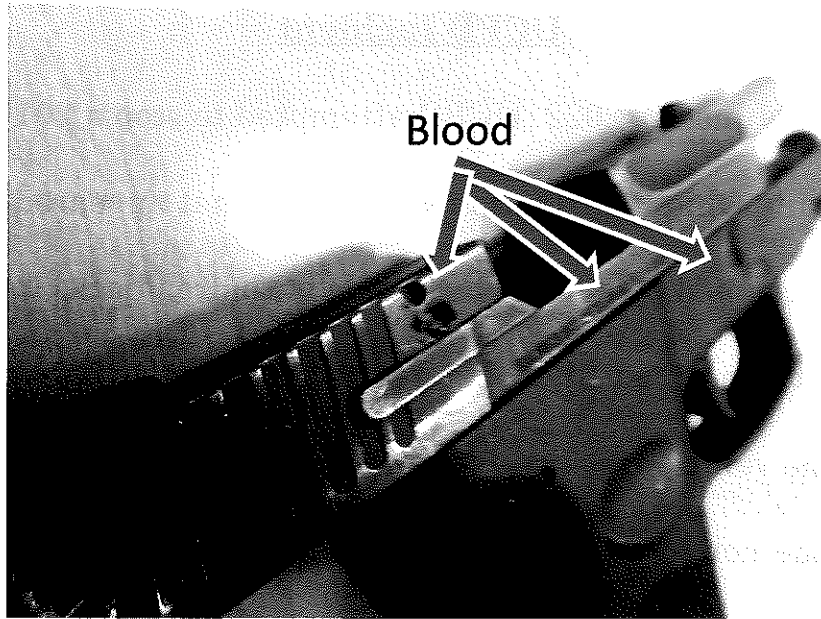
Taurus 9mm “PT111 G2” (hereinafter described as “Taurus 9mm”), bearing Serial Number of “TKZ50213”, which was recovered by UCPD on June 02, 2022.

UCPD Incident

10. On June 02, 2022, UCPD attempted to stop a 2017 Chevrolet Malibu, bearing Ohio Registration #JDT3103, that appeared to the officer to be occupied by a lone black male with dreadlocks in the area of East 108th St., and East Blvd., before the vehicle fled the area. A short time later, the vehicle was involved in a traffic accident on Mayfield Rd, adjacent to the north side of University Hospital Garage 34, Cleveland, OH. Upon arrival, the same UCPD officer observed what appeared to be the same black male wearing a white t-shirt, running into Garage 34. The vehicle appeared to have left the roadway and struck a fire hydrant, a tree, a yield sign, and finally, another tree in front of University Hospital Garage 34. The vehicle ultimately came to a rest upside down and sustained severe damage.

11. A subsequent search of the area for the unidentified male was unsuccessful. A search of the damaged/abandoned Chevrolet Malibu by UCPD resulted in the discovery of the Taurus 9mm within

the vehicle. Further, what appeared to be “fresh” blood was found on the slide of the Taurus 9mm, the driver’s side door panel, and driver’s side headliner of the vehicle.



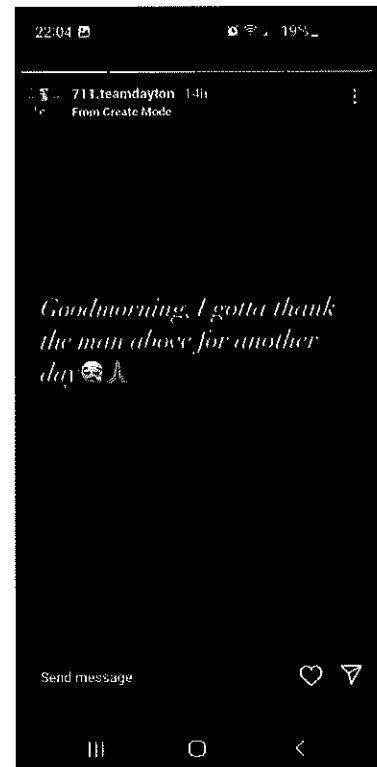
12. UCPD collected buccal swabs of the blood with a Deoxyribonucleic Acid (“DNA”) Collection Kit, which was subsequently submitted to Cuyahoga County Regional Forensic Science Laboratory (“CCRFSL”) for analysis and entry into the Combined DNA Index System (“CODIS”).

13. Additionally, a green in color iPhone 13 Pro Max bearing Serial Number “D2R0XY4XND” was also discovered from inside the vehicle. The iPhone displayed the Instagram account “711.teamdayton”.

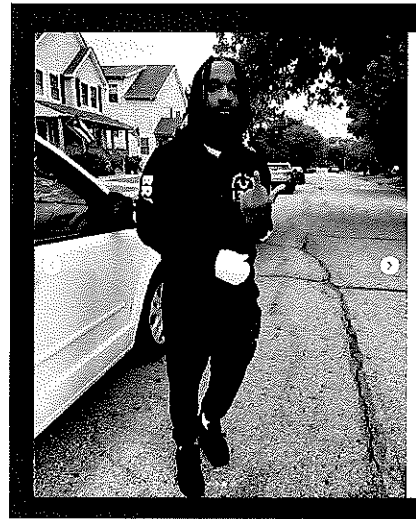
UCPD placed the phone into “airplane mode” and the screen displayed the name “DEFRANCO ALLISON”.

Instagram Postings after Vehicle Crash

14. UCPD research of the Instagram account “711.teamdayton” resulted in the discovery of several photographs relevant to the June 02, 2022, vehicle accident. Specifically, the account had postings and photographs of an injury to ALLISON JR’s right hand, the damaged Chevrolet Malibu at the impound lot, and a post which read “Goodmorning, I gotta thank the man above for another day”.



15. Further, the account had postings and photographs of ALLISON JR, wearing similar clothing as that of the male seen by UCPD fleeing the area after the vehicle accident. Further, the account had postings and photographs from June 11, 2022, of ALLISON JR, with dreadlocks and wearing a sling on his right arm, which is wrapped in a white bandage.



Photographs of Taurus 9mm from ALLISON JR's Phone

16. On September 07, 2022, law enforcement obtained a search warrant authorizing a search of the iPhone that was recovered from the vehicle on June 02, 2022. An examination of the phone revealed the phone owner as "DeFranco Allison" and a phone number of XXX-XXX-7767. Additionally, a review of images from the phone also revealed a photograph of the Taurus 9mm.



17. A close-up of the serial number in front of the trigger housing shows the same partially defaced serial number plate as the Taurus 9mm in UCPD custody, and portions of the serial number “TKZ50213” can be seen. Specifically, “502” and “3”.



18. ALLISON JR was identified as the primary user of the phone based on usage information, photographs, messages, and account information for ALLISON JR.

Phone Location Data

19. During the course of this investigation, law enforcement obtained a warrant for phone location information pertaining to ALLISON JR's cell phone, XXX-XXX-7767. The records revealed the account was registered DIAMOND LESTER, who is a known associate of ALLISON JR. Further, the records revealed ALLISON JR's cell phone was present and "pinged" off of several cell phone towers in the area of Mayfield Rd., and Euclid Ave., on June 02, 2022, before and around the time of the traffic accident.

DNA Match

20. On November 18, 2022, affiant learned the blood recovered from the June 02, 2022, incident matched an established CODIS DNA profile for ALLISON JR, after analysis by the CCRFSL.

Felony Convictions of ALLISON JR

21. Affiant reviewed law enforcement databases and coordinated with the Cuyahoga County Clerk of Courts and learned ALLISON JR,

is a convicted felon. Specifically, on March 26, 2015, ALLISON JR, was sentenced to (5) years in prison for “Attempted felonious assault with firearms specifications” and “Attempted discharge of a firearm on or near a prohibited premises”, as part of a conviction in Cuyahoga County Court Case Number CR-14-590927-A.

22. Additionally, Cuyahoga County Clerk of Court records also revealed on March 26, 2015, ALLISON JR, was sentenced to (18) months in prison for “Aggravated assault”, as part of a conviction in Cuyahoga County Court Case Number CR-14-591245-A.

23. Court records also revealed the trial court’s judgements for both cases were affirmed in the Eighth Appellate District, Cuyahoga County, Court of Appeals of Ohio.

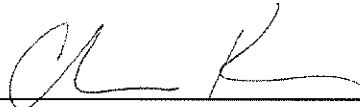
Interstate Nexus of Firearm

Affiant also reviewed law enforcement records pertaining to the Taurus 9mm and Serial Number “TKZ50213” and learned it’s country of origin was Brazil. Further, the Taurus 9mm was imported through Taurus International Manufacturing Inc., Miami, FL, and was purchased by a known individual through a Federal Firearms Licensed Dealer in Akron, OH, on February 16, 2018. Based on my training and

experience, the Taurus 9mm was previously shipped or transported in interstate or foreign commerce.

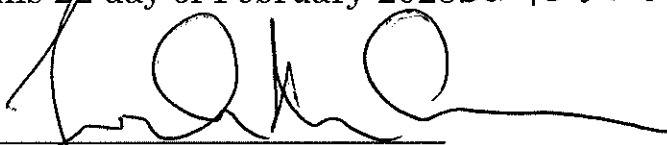
IV. CONCLUSION

24. Based on the foregoing, probable cause exists that DEFRANCO ALLISON JR., a resident of the Northern District of Ohio, Eastern Division, has violated 18 U.S.C. § 922(g)(1), Possession of a Firearm by a Felon.



Christopher Kiah
Special Agent, DHS/FPS

Sworn to via telephone after submission by reliable electronic means on this 22 day of February 2023 at 10:56 a.m.



Jennifer Dowdell Armstrong
United States Magistrate Judge